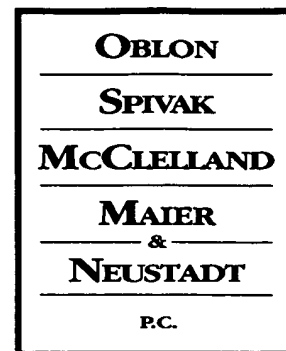




Docket No.: 243128US2RD

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 10/668,161
Applicants: Eiichi SAKAUE, et al.
Filing Date: September 24, 2003
For: FUEL CELL SYSTEM
Group Art Unit: 1745
Examiner: RUTHKOSKY, Mark

SIR:

Attached hereto for filing are the following papers:

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Our check in the amount of \$0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters

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CKET NO: 243128US2RD

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
EIICHI SAKAUE, ET AL. : EXAMINER: RUTHKOSKY, MARK
SERIAL NO: 10/668,161 :
FILED: SEPTEMBER 24, 2003 : GROUP ART UNIT: 1745
FOR: FUEL CELL SYSTEM :

RESPONSE TO ELECTION OF SPECIES REQUIREMENT

Commissioner for Patents
Alexandria, Virginia 22313

Sir:

In response to the Election of Species Requirement dated October 4, 2006,
Applicants provisionally elect Species I, listed in the Election of Species Requirement
as drawn to a fuel cell, and Applicants list Claims 1-4 as readable thereon.

Applicants are entitled to consideration of claims, directed to additional non-
elected species, which include the limitations of an allowable generic claim, as
provided by 37 C.F.R. 1.141(a).

Respectfully submitted,
OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Eckhard H. Kuesters
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